

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

John Doe

v.

Civil Action No. 24-cv-00046-JL

Trustees of Dartmouth College

ORDER

For the reasons stated on the record at the February 27, 2024 hearing, the motion for a preliminary injunction (doc. no. 3) is granted in part. The court finds that plaintiff John Doe has made the required showing for a preliminary injunction to issue: (1) he has proven a likelihood of success on his claims for breach of contract and breach of the covenant of good faith and fair dealing based on Dartmouth College's policies; (2) he has demonstrated irreparable harm (as defined under applicable law) in the absence of an injunction; (3) the balance of equities weighs in favor of a preliminary injunction;¹ and (4) a preliminary injunction is consistent with, and in no way inconsistent with the public interest.

Accordingly, defendant Trustees of Dartmouth College ("Defendant"), its agents, officials, employees, or anyone acting on its behalf, are hereby enjoined from enforcing its expulsion of John Doe pending a final resolution of this action. Defendant shall vacate

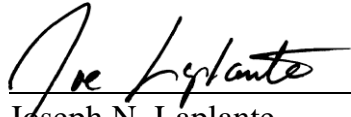
¹ To the extent that this was not made clear on the record, the court finds that the balance of equities weighs in Doe's favor because, in addition to the reasons stated at yesterday's hearing, the delays in investigation and adjudication were as or more attributable to Dartmouth, which was aware of the impending Match deadline, than they were to Doe. Further, the damage to Doe's reputation and standing in his profession and the medical community far outweigh any possible damages to Dartmouth's standing and reputation should the expulsion be reinstated after further proceedings.

the Hearing Panel's finding of responsibility, vacate Doe's expulsion, and submit Doe's name for the Match. Defendant shall permit John Doe to register for and attend classes, and to submit his application for Match. Defendant shall ensure that John Doe's absence from classes while his expulsion has been in effect thus far is not held against him in any way, including in his academic courses.

Counsel shall confer immediately and arrange with the deputy clerk a scheduling conference at which a jury trial before the end of the academic year may be scheduled if Dartmouth requests it.

No bond or security is required under Rule 65(c).

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: February 28, 2024

cc: Olivia Faith Bensinger, Esq.
Leah Cole Durst, Esq.
Daryl J. Lapp, Esq.
Elizabeth H. Kelly, Esq.